

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

_____)	No. 1:08-MD-01945-RJH
IN RE STATE STREET BANK AND TRUST)	
CO. FIXED INCOME FUNDS)	
INVESTMENT LITIGATION)	
)	
)	
)	
)	
_____)	
NING YU, On Behalf of Himself and All)	No. 1:08-CV-08235-RJH
Others Similarly Situated,)	(Relates to MDL No. 1945)
)	
Plaintiff,)	
)	
vs.)	<u>CLASS ACTION</u>
)	
STATE STREET CORPORATION, et al.,)	
)	
Defendants.)	
_____)	

DECLARATION OF EVAN J. KAUFMAN IN SUPPORT OF PLAINTIFF'S
MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTIONS TO DISMISS
THE SECOND AMENDED CLASS ACTION COMPLAINT

I, Evan J. Kaufman, declare as follows:

1. I am an attorney duly licensed to practice law in the State of New York. I am a partner with the law firm of Robbins Geller Rudman & Dowd LLP, counsel for Plaintiff in the above-referenced matter. I make this declaration in support of Plaintiff's Memorandum of Law in Opposition to Defendants' Motions to Dismiss the Second Amended Class Action Complaint.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Securities and Exchange Commission Release No. 175, *In the Matter of Piper Capital Management, Inc.*, 2000 WL 1759455 (Nov. 30, 2000).

I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct. Executed this 12th day of October, 2010, at Melville, New York.

/s/ Evan J. Kaufman

EVAN J. KAUFMAN

CERTIFICATE OF SERVICE

I, Evan J. Kaufman, hereby certify that on October 12, 2010, I caused the foregoing:

Plaintiff's Memorandum of Law in Opposition to Defendants' Motions to Dismiss the Second Amended Class Action Complaint; and

Declaration of Evan J. Kaufman in Support of Plaintiff's Memorandum of Law in Opposition to Defendants' Motions to Dismiss the Second Amended Class Action Complaint

to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such public filing to all counsel registered to receive such notice.

/s/ Evan J. Kaufman

EVAN J. KAUFMAN